

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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LEONG FRANCISCO PAULO,

Plaintiff,

22 **CIVIL** 6210 (JLR)(SLC)

-against-

JUDGMENT

AGENCE FRANCE-PRESSE, et al.,

Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memorandum Opinion and Order dated September 25, 2023, Accordingly, the Court adopts the thorough and well-reasoned Report in its entirety. See Report. Defendants motion to dismiss is therefore GRANTED consistent with the Report. The case is DISMISSED pursuant to the doctrine of forum non conveniens, on the condition that Defendants agree to: (1) accept service in Portugal; (2) submit to the jurisdiction of the Lisbon District Courts Labour Division and/or Intellectual Property Division; (3) waive any statute of limitations defense that may have arisen since the filing of this action; (4) toll the statute of limitations as to Leong's claims under the Act and permit Leong to move to reopen this action and reassert those claims in the event that a Portuguese court were to decline to hear such claims; and (5) agree that Leong is not precluded from arguing that Clause 7 created a license that he rescinded (the "Conditions"). The claims against Agence France-Presse are also DISMISSED for lack of personal jurisdiction. Additionally, the parties are ORDERED to submit, within 21 days of the date of this Order, a proposed stipulation of dismissal agreeing to the foregoing Conditions. In light of the clear notice provided in the Report, the lack of any timely objections precludes appellate review of this

decision. See Frank, 968 F.2d at 300; Lee, 473 F. Supp. 2d at 436. Accordingly, the case is closed.

Dated: New York, New York
September 26, 2023

RUBY J. KRAJICK
Clerk of Court

BY:



Deputy Clerk